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the course of their loves is soon found anything but smooth. A new Vaivode, or governor, arrives from Constantinople, and, learning the beauty of the bride of Demetrius, insists on seeing her in a manner the most insulting, and with purposes dark and wicked. In short, the marriage of the young Grecians is subsequently interrupted by this tyrant and his train, who murder the youth. Adiante, also, is wounded, and dies in the conflict. The story is well told, and exhibits in strong colors the brutal tyranny of the Turks over the Greeks in their power.

The piece, entitled the 'Catholic Iroquois,' by the author of Redwood, is a beautiful and touching little tale, and worthy of the pen of that writer. Others might be selected, both in prose and poetry, that are creditable to their authors, although a few have gained admittance, whose claims to such a distinction we have not been able to discover. The plan of this work is calculated to have so good an effect on the taste of the community, that we hope the publishers will be encouraged to continue it annually. Their aim should be, as far as possible, to enlist the best writers in different parts of the country, to procure articles on American topics, and designs of American scenery. It will thus have a character and a value peculiar to itself, and not to be found in any other works of a similar kind.

2.—*A View of the Constitution of the United States of America.*
By WILLIAM RAWLE. Philadelphia. 1825. Svo. pp. 347.

THE constitution of the United States was, in many particulars, a new experiment in politics. It was the first government, and, at the time of its creation, the only one in which the principle of *representation* was extended as well to the executive and judicial departments, as to the legislative. In other nations, where political liberty has been enjoyed to a certain degree, the principle of representation has been either abandoned altogether, or confined to the selection of those who were to make the laws; while in the execution and interpretation of the laws, the people beheld a power created without their consent, and existing beyond their control.

In Rome, indeed, it was otherwise; for while the consuls and prætors were chosen by the people and accountable to them, the senate was a hereditary body, whose decrees the popular officers were in general bound to execute. But in the United States, every officer in every department of the government is a representative of the people; acting by the authority of the people,

and ultimately accountable to them. When we call our *government* a representative one, we do not in general attach its full meaning to the term; we are apt to be misled by the popular signification of representative, and to think only of one branch of the legislature. But in truth, the President of the United States, in the exercise of his high powers, is as much a representative of the people, as a member of either house of Congress. He is selected by them for the discharge of certain duties; he is accountable to judges of their appointment for any malversation in office, and he cannot retain his power beyond a limited time, without their renewed consent. It is the same in principle with judicial officers. Their power emanates, though not directly, from the people; and though they are shielded, as they ought to be, from popular caprice and passion, they are accountable to the people for the honest and faithful discharge of their duties. The people of the United States, as such, exercise no other act of sovereignty, than that of selecting the individuals in whom the several powers of government shall reside; and in this they differ from the citizens of Greece and Rome, who enacted laws in their popular assemblies; but they also choose, either directly, or through the medium of electors chosen by themselves, all the officers of government; and in this they differ as well from the ancient republics, as from the limited monarchies of modern times.

Whatever advantages, therefore, attend the representative form of government, must be enjoyed in the United States in the highest degree. These advantages may be resolved into this general principle, that while an administration is provided, possessing sufficient unity and permanence for decisive action, the government itself is under the control of the people, and not of those who administer it. There is a tendency in all governments to consider the supreme power as residing in the legislature; for the making of laws is the most striking act of sovereignty. An example of this tendency occurred in England during the Commonwealth, when the popular branch of the legislature undertook to model anew the whole constitution. And even at the present day, it is maintained in that country, that the authority of parliament has no limit, but is supreme and uncontrollable. With us, however, the executive and judicial departments are strictly co-ordinate with the legislative; and all are equally regulated by the constitution, which is the expressed will of the people.

But, however perfect any government may be in theory, no thinking man will entirely confide in it, until he has seen its development in practice, and been satisfied with its adaptation to the character and condition of the people. The government

of the United States, has it answered the ends for which it was designed? Have no unexpected obstacles impeded its course? Has the principle of representation been wisely extended to all the departments of its administration? In one word, has it been as salutary in practice, as it is wise in theory? These are questions, which are frequently asked, especially by foreigners, and to which no book, before the present, has given an answer.

Mr Rawle's work is a commentary upon the constitution, in which the several departments of our government are treated of, in the order in which they are named in that instrument. After an introduction, in which the nature of political constitutions in general is discussed, and in particular those of the British colonies in North America, the author treats of the constitution of the United States, and of the rules of construction, which should be adopted in explaining it. He then examines the legislative power as exercised by the senate, the house of representatives, and the President. These subjects compose the theme of the six first chapters.

'The President,' says Mr Rawle, 'partakes of the legislative power; he is elected for the term of four years, in a mode of which the theory is excellent, but in no respect have the enlarged and profound views of the framers of the constitution, or the expectations of the people, been so completely frustrated.'

Now this language is much too strong. In no country of the world, and in no period of history, can a succession of chief magistrates be found, who are worthy to be compared in talents, learning, wisdom, morals, or patriotism, with the six presidents of the United States. In no country of the world, has the administration of government been directed so entirely to promote the happiness of the people, and with so little regard to the personal interest of those engaged in it. Whatever difficulties, therefore, may have been encountered in the election of a president, it can hardly be said with truth, that the views of the framers of the constitution have been completely frustrated.

It is true, that difficulties have occurred; and they always may be expected, while human nature continues frail and imperfect. That the wisest and best man in the nation should be selected for its chief magistrate, is what all will admit; but how is the individual to be discovered among several millions? And how is an unhesitating conviction of his merits to be impressed upon the minds of his fellow citizens? The best devised system is but an approximation to what is desirable; and it is believed, that the mode now pursued in the United States, though attended with some inconveniences, is to all practical purposes sufficient to secure a wise administration of the government.

The seventh chapter, which is on 'the Treaty making Power,' discusses the question, which has twice arisen in Congress, whether the consent of the house of representatives, in any form, is necessary to the validity of a treaty, or to such measures as are necessary to carry a treaty into effect. This question may be considered as still undecided, for in 1816, on the ratification of the convention with Great Britain, Congress thought proper, after a long debate, to pass an act expressly repealing so much of certain other acts, as were inconsistent with the provisions of the convention, instead of leaving the treaty to stand *proprio vigore*.

In the ninth chapter the author contends, with much plausibility, that a citizen of the United States cannot transfer his allegiance, so as to free himself from our laws, without the consent of the community. This opinion, it is said, has the sanction of the late Chief Justice Ellsworth, of Mr Justice Washington, and of President Madison. It is a question of great practical importance, and deserves to be thoroughly considered.

On the great question of *internal improvement*, as it is usually called, Mr Rawle holds the opinion which is beginning to prevail in every part of the Union, and which will probably, before many years, be the settled construction of the constitution.

'It has been made a constitutional question,' he says, 'whether Congress has a right to open a new mail road through a state or states for general purposes, involving the public benefit, and the same doubt has been extended to the right of appropriating money in aid of canals through states. If we adhere to the words of the text, we are confined to post roads; but it appears to the author to be one of those implied powers, which may fairly be considered as within the principles of the constitution, and which there is no danger in allowing. The general welfare may imperiously require communications of either of these descriptions. A state is bound to consult only its own immediate interests, and not to incur expense for the benefit of other states. The United States are bound to uphold the general interest, at the general expense. To restrain it to pointing out the utility of the measure, and calling on particular states to execute it, would be partially to recall the inefficiency of the old government, and to violate the main principle of the present one. If any political evil could result from the procedure, it would present a strong argument against the allowance of the power; but good roads and facile aquatic communications, while they promote the prosperity of the country, cannot be seriously alleged to affect the sovereignty of the states, or the liberties of the people. The road ought, however, to be an open, not a close one. It is doubtful, whether tolls for passage on it could be constitutionally exacted.' p. 100.

Mr Rawle's observations on the writ of *habeas corpus* confirm the opinion, which we have more than once expressed, that the common law is recognised by the constitution of the United States. 'The constitution seems to have secured this benefit to the citizen by the description of the writ, and in an unqualified manner admitting its efficacy, while it declares, that it shall not be suspended unless when, in cases of rebellion or invasion, the public safety shall require it. This writ is believed to be known only in countries governed by the common law,' &c. p. 114.

We cannot be expected to analyse the whole volume, or even to enumerate the important questions, which are discussed in it. In several points, the practical construction of the constitution is yet unsettled; but in many more, doubts have been cleared, and a course of administration consistently pursued, which has led to the happiest results. To those, who are desirous of studying the noblest monument of human wisdom, the Constitution of the United States, we recommend the treatise of Mr Rawle as a safe and intelligent guide. For foreigners it may be sufficient; but to the young men of our country, it should be only the introduction to a more extended course of reading. The letters of Publius, in the *Federalist*, Mr Sergeant's treatise on Constitutional Law, and the great constitutional questions, which are from time to time argued and decided in the Supreme Court of the United States, should form a part of the studies of every well educated man.

In the Supreme Court, the principles of our government are often developed with a strength of reasoning and a clearness of illustration, that seldom fail to repress every doubt, and quiet every scruple. We cannot refrain, in this connexion, from making one more extract from Mr Rawle, because it sets in a strong light the highmindedness, and independence of party considerations, of that tribunal, which is often the last resort in party contests. The author is speaking of the abolition, in 1802, of the judiciary system established the preceding year. 'The Supreme Court, which affirmed a decision by which the validity of the repealing act was established, [the case of *Stuart v. Laird*, 1 Cranch, 308] was at that time composed entirely of men politically adverse to that, which, by a sudden revolution, had become the predominant party in the legislature. Yet the decision was unanimously given, one of the judges only being absent on account of ill health. And such are the true nature and spirit of a judicial institution, that there can be no doubt that the same principle, the same entire repudiation of party spirit, would govern men of all political impressions, when required to act on similar occasions by the constitution and their country.'

While such is the spirit which our institutions foster, and such

the practical wisdom displayed in the administration of the laws, we may be permitted, cold blooded as critics usually are, to catch the enthusiasm of the Orator and Statesman of New England, and exclaim with him, OUR COUNTRY; OUR WHOLE COUNTRY; AND NOTHING BUT OUR COUNTRY!

3.—*El Traductor Español; or a New and Practical System for Translating the Spanish Language.* By MARIANO CUBI Y SOLER. Baltimore. F. Lucas, jr. 12mo. pp. 350.

THE author of this volume deserves high commendation, for the zeal with which he has labored, during the last four years, to make his native language known in this country. He has published several elementary treatises to facilitate to the American student the attainment of that language, and his personal services have been assiduously and successfully devoted, we believe, to the promotion of the same end. At the present time, and with the future political prospects of the western continent, few accomplishments are more desirable to the well educated youth of our country, than a knowledge of the Spanish language. It is already spoken by half the population of the western world, and its use and influence will rapidly increase. Our commercial intercourse and political relations with the southern republics, will necessarily bring us into close and perpetual contact with them on innumerable points; and an acquaintance with their common vehicle of thought will be a not more effectual means of advancing our own interests, than of strengthening the bonds of union between nations, whose aims and destiny are nearly the same. We shall have the additional advantage, moreover, and it is not a small one, of the example and spirit of the best Spanish writers operating on our literature. In this country little is known of the elegant letters of Spain; it is a field unexplored, but it is wide and fertile, rich in the fruits of genius and of cultivated intellect. The language of Cervantes and Calderon, of Lope de Vega and Feijoo, may safely challenge a comparison with any other in high models of poetry and eloquence, brilliancy of imagination, or vigor of thought.

It is the purpose of Mr Cubi, in the present volume, to promote the acquisition of the language, by putting into the student's hands a choice collection from some of the best Spanish authors. The examples are generally short, always judicious, and methodically arranged. The idiomatic phrases and expressions are explained in the margin. Among the writers from whom the selection is made, are Feijoo, Granada, Quevedo, Mariana, Argensola, Ca-